

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Administration of Workers' Compensation Liabilities

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Purpose

To define the County of San Diego's self-funded and self-administered Workers' Compensation Program, under the direction of the Chief Administrative Officer, as implemented through the Risk Division of the Department of Human Resources, for meeting and resolving its industrial injury liabilities in compliance with the Workers' Compensation provisions of Division 4 of the California Labor Code and all other appropriate codes and regulations.

Background

The County of San Diego has self-funded and self-administered (i.e., self-insured) its Workers' Compensation liabilities since November 28, 1968. Increasing liberalization of this state-wide program by both the Legislature and the Courts since 1968 makes it incumbent upon County Administration to clearly define County policy in managing this risk, to prevent abuse, to control costs, to medically and vocationally rehabilitate County employees and to deliver a program that is equitable to both County employees and County taxpayers.

Policy

It is the policy of the Board of Supervisors to:

1. Self-fund the County's Workers' Compensation liabilities and to self-administer the program in accordance with State Law as applied to legally self-insured public entities.
2. Provide employees with all Workers' Compensation benefits to which they are entitled under law.
3. Treat occupationally injured or ill County employees as clients rather than claimants and assist them in securing their legitimate rights and benefits in an atmosphere of fairness and equity to all parties.
4. Provide for effective medical treatment, including managed care, to achieve timely medical rehabilitation in order to return the occupationally injured or ill employee to work as soon as possible. Early return to work in a modified or alternate position is encouraged while an injured worker is recuperating to full pre-injury duties.
5. When allowed by the Labor Code, direct and control medical care for the occupationally injured or ill employee for at least the first thirty (30) days, following the employee's report of injury/disability, through referral to an accredited industrial medical

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provider which meets the County requirements or through other programs provided for under State law.

6. Monitor treatment of injured or ill employees to assure that proper care is provided as outlined by the Labor Code of the State of California and in accordance with definitions outlined in Labor Code 3209.3-3209.8.

7. Counsel directly with occupationally injured or ill employees who are not represented by an attorney to assure them of the County's interest in their progress, to seek their input into eliminating or reducing the risk of injury, and to seek a positive resolution of their claim.

8. Develop a vocational rehabilitation program which enables occupationally injured or ill employees to be returned to work, if possible, in accordance with State vocational rehabilitation mandate and in accordance with the Federal Americans with Disabilities Act (ADA) and the State Department of Fair Employment and Housing Act.

9. Avoid prolonged litigation of disputed cases by encouraging direct conferences with the employee or employee representative to resolve by equitable compromise those issues in dispute.

10. Obtain approval by the State of California Workers' Compensation Appeals Board of all compromised or stipulated issues and adjudicate all irresolvable issues at the Workers' Compensation Appeals Board and subsequent higher levels of appeal when applicable.

Sunset Date

This policy will be reviewed for continuance by 12-31-01.

Board Action

8-14-79 (40)

11-6-84 (14)

8-8-89 (34)

4-4-95 (28)

CAO Reference

1. Department of Human Resources

2. County Counsel